

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NATHANIEL WATT,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants.

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Dkt No: 22-cv-6841(AMD)(JAM)

**DECLARATION OF JOHN
W. BURNS IN SUPPORT OF
MOTION FOR SUMMARY
JUDGMENT**

John W. Burns, declares pursuant to 28 U.S.C. § 1746, under penalty of perjury that the following is true and accurate:

1. I am “*Of Counsel*” with the law firm Karasyk & Moschella, LLP, attorneys of record for Defendant Kevin Blackett (“Blackett”). As such I am fully familiar with the facts as set forth below.

2. This Declaration is submitted in support of Blackett’s motion for Summary Judgment, pursuant to Rule 56 of the Federal Rules of Civil Procedure. The photograph exhibits were previously included in the Local Rule 56.1 Statement of Facts and Counterstatement of Facts and were accepted without objection (*see*, ECF Dkt. 58, dated September 11, 2024). The Body Worn Camera (“BWC”) Exhibits have been uploaded to the Court account per Your Honor’s Rules 4, F.

3. In support of Blackett’s motion for Summary Judgment, I respectfully submit the following exhibits:

4. Annexed hereto as Exhibit “A” is a Declaration of Defendant Kevin Blackett in support of his herein motion for summary judgment. Plaintiff waived Blackett’s deposition, and

all the named Defendants and other witnesses, therefore this Declaration forms the basis of Blackett's testimony in this matter.

5. Annexed hereto as Exhibit "B" is a video of New York City Police Department ("NYPD") Police Officer ("P.O.") Morris' BWC, dated November 19, 2019, produced by the City of New York and identified as DEF 021.

6. Annexed hereto as Exhibit "C" is a photograph of water heater/boiler, inside 9101 Avenue N, produced by the City of New York, and identified as DEF 0221.

7. Annexed hereto as Exhibit "D" is the full transcript of Plaintiff Watt's General Municipal Law Section 50-h hearing, dated March 4, 2021.

8. Annexed hereto as Exhibit "E" is a photograph of a bullet recovered inside 9101 Avenue N, produced by the City of New York, and identified as DEF 0211.

9. Annexed hereto as Exhibit "F" is a photograph of a shell casing recovered inside 9101 Avenue N, produced by the City of New York, and identified as DEF 0219.

10. Annexed hereto as Exhibit "G" is a video of NYPD P.O. Yardan, (Part 1) BWC, dated November 19, 2019, produced by the City of New York, and identified as DEF 024.

11. Annexed hereto as Exhibit "H" is a video of NYPD P.O. Link, BWC, dated November 19, 2019, produced by the City of New York, and identified as DEF 209.

12. Annexed hereto as Exhibit "I" is a video of NYPD Lt. Hussain, BWC, dated November 19, 2019, produced by the City of New York, and identified as DEF 208.

13. Annexed hereto as Exhibit "J" is a video of NYPD P.O. Yardan, (Part 2), BWC, dated November 19, 2019, produced by the City of New York, and identified as DEF 025.

14. Annexed hereto as Exhibit "K" is a video of NYPD P.O. Yardan, (Part 3), BWC, dated November 19, 2019, produced by the City of New York, identified as DEF 022.

15. Annexed hereto as Exhibit “L” is the full transcript of Plaintiff Watt’s Deposition, dated April 19, 2024.

16. Annexed hereto as Exhibit “M” is a photograph of a pile of clothes taken by defendant Blackett inside the basement apartment at 9101 Avenue N on or about November 20, 2019.

17. Annexed hereto as Exhibit “N” is a photograph of a toilet taken by defendant Blackett inside the basement apartment of 9101 Avenue N on or about November 20, 2019.

Dated: New York, New York
June 6, 2025

Respectfully submitted,

KARASYK & MOSCHELLA, LLP

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To: All Counsel via ECF